

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL MYRON AKERS,	:	
Plaintiff,	:	CIVIL ACTION NO. 3:15-1814
v.	:	(MANNION, D.J.)
	:	(COHN, M.J.)
NANCY A. BERRYHILL,¹	:	
Commissioner of Social Security,	:	
Defendant.	:	
	:	

MEMORANDUM

Pending before the court is the May 3, 2017 report of Magistrate Judge Gerald B. Cohn, (Doc. [19](#)), which recommends that the final decision of the Commissioner denying the plaintiff's claim for disability insurance benefits ("DIB") under the Social Security Act be affirmed and that the case be closed. (Doc. 19). Neither the Commissioner nor the plaintiff have filed any objections to Judge Cohn's report. The time for filing objections has expired.

Where no objection is made to a report and recommendation, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." [FED. R. CIV. P. 72\(b\)](#), advisory committee notes; see also [Univac Dental Co. v. Dentsply Intern., Inc.](#), 702 F. Supp. 2d 465, 469 (2010) (citing [Henderson v. Carlson](#), 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review

¹ On January 23, 2017, Nancy A. Berryhill became the Acting Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d), Nancy A. Berryhill is substituted for Carolyn W. Colvin, Acting Commissioner of Social Security, as the defendant in this suit.

to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept or modify, in whole or in part, the findings or recommendations made by the magistrate judge. [28 U.S.C. §636\(b\)\(1\)](#); Local Rule 72.31.

The court has reviewed all of the reasons presented by Judge Cohn for recommending that the plaintiff's appeal of the decision denying his claim for DIB benefits, (Doc. [1](#)), be denied. The court agrees with the sound reasoning that led Judge Cohn to the conclusions in his report and finds no clear error on the face of the record. Accordingly, the court will adopt Judge Cohn's report in its entirety. An appropriate order shall issue.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: June 13, 2017

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